

REMARKS

This is a full and timely response to the outstanding final Office Action mailed February 10, 2006. Reconsideration and allowance of the application and pending claims are respectfully requested.

I. Improper “FINAL” Office Action

In the Office Action, the Examiner states that the outstanding Office Action is “responsive to amendment received on March 7, 2005” and that “Applicant’s amendment necessitated the new ground(s) of rejection.” In view of that, the outstanding Office Action has been made “FINAL.”

Applicant asserts that the Examiner is conveniently ignoring Applicant’s Response of September 1, 2005, which was filed nearly six (6) months after the “amendment” the Examiner relies upon in making the outstanding Office Action “FINAL.” Interestingly, however, that more recent Response contained no amendments whatsoever. Therefore, despite the fact that Applicant did not amend and only presented arguments, the Examiner has now withdrawn the previous rejection in favor of a new rejection under newly-cited art and calls the Office Action “FINAL.”

In view of the clear impropriety of making the outstanding Office Action “FINAL,” Applicant asserts that the Examiner must withdraw the final status of the Office Action. If the Examiner chooses not to withdraw that status, Applicant will take the matter up with the Examiner’s supervisor and/or the Assistant Director as necessary. It is an injustice to force Applicant to assume the time and expense of appealing the

application to remove an unwarranted rejection, only to make the next rejection “FINAL” without proper basis.

II. Claim Rejections - 35 U.S.C. § 112, Second Paragraph

Claims 1 and 10 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention.

As a first matter, the Examiner states that “the Examiner is unclear how the browser may be redirected or transmitted to a printing service on a network.” In response, Applicant submits that the process described in claims 1 and 10 is described enough detail in relation to Figures 8 and 9 of Applicant’s specification so as to be clear to a person having ordinary skill in the art. Therefore, Applicant refers the Examiner to the description found on page 25, line 8 to page 28, line 9 of Applicant’s specification for an explanation that should clarify the issue for the Examiner.

Second, the Examiner states that claims 1 and 10 do not “specify whether the user browser obtains a network based printing service or any software or device.” The Examiner’s rejection is unclear to the Applicant. Accordingly, Applicant requests clarification. Regardless, Applicant notes that what claims 1 and 10 do or do not specify relates to the scope of the claims and not to their definiteness. Therefore, Applicant has the right to include or exclude details as to the claimed invention as long as Applicant does so without rendering the claims indefinite. At this point, the Examiner has not identified how claims 1 or 10 are indefinite for not specifying obtaining a “network based printing server or any software or device.”

In view of the above, Applicant has declined to amend claims 1 and 10 and asserts that those claims already define the invention in the manner required by 35 U.S.C. § 112, second paragraph. Accordingly, Applicant requests that the rejections to these claims be withdrawn.

III. Claim Rejections - 35 U.S.C. § 102(b)

Claims 1-4, 6, 8-14, and 20-43 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Savitzky, et al. (“Savitzky,” U.S. Pat. No. 6,012,083). Applicant respectfully traverses this rejection.

It is axiomatic that “[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under consideration.” *W. L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1554, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983). Therefore, every claimed feature of the claimed invention must be represented in the applied reference to constitute a proper rejection under 35 U.S.C. § 102(b).

In the present case, not every feature of the claimed invention is represented in the Savitzky reference. Applicant discusses the Savitzky reference and Applicant’s claims in the following.

A. The Savitzky Disclosure

Savitzky discloses a method and apparatus for document processing. *Savitzky*, Patent Title. As is described by Savitzky, an agency 10 is “interposed between” Web clients 12 and Web servers 10. *Savitzky*, column 5, lines 13-14. The agency includes a resolver 24 that processes “transactions” using agents 30. *Savitzky*, column 5, lines 30-32.

The transactions comprise the various operations that are to be performed on behalf of a user. *Savitzky*, column 8, lines 59-65. The resolver matches the transactions or operations with agents based upon their “interest” in completing the operations. *Savitzky*, column 5, line 66 to column 6, line 1; column 7, lines 36-37.

In one embodiment described in relation to Figure 5, *Savitzky* discloses a printer agency 60 that is “interposed between” a printer 62 and a document-centric network. *Savitzky*, column 12, lines 42-44. The printer agency 60 is used to provide an interface to the printer 62. *Savitzky*, column 12, lines 66-67. When the user browses to the printer agency via a browser 64, the user can send a request for an HTML document 66 to the printer agency. *Savitzky*, column 13, lines 2-3. In response, the printer agency obtains the document and renders it in the browser along with a “PRINT” button. *Savitzky*, column 13, lines 3-7. The user can then send the document to the printer by selecting the “PRINT” button. *Savitzky*, column 13, lines 9-11.

B. Applicant’s Claims

As is noted above, *Savitzky* fails to teach several of Applicant’s claim limitations. Applicant discusses some of those claim limitations in the following.

1. Claims 1-4, 6, 8, 9, 20-34, and 40-42

Applicant’s claim 1 provides as follows (emphasis added):

1. A method for printing on a local printing device using a network-based printing service associated with the local printing device, the method comprising:

obtaining a network address of the network-based printing service;
designating the network-based printing service address as a default destination such that a user browser executing on a client device is redirected directly to the network-based printing service when a print command is received;

receiving a print command provided to an imaging service with the user browser;

automatically redirecting the user browser to the network-based printing service;

accessing image data from a personal imaging repository with the network-based printing service; and

initiating a print job on the local printing device with the network-based printing service.

Regarding claim 1, Savitzky does not teach “designating the network-based printing service address as a default destination such that a user browser executing on a client device is redirected directly to the network-based printing service when a print command is received”. Contrary to that alleged in the Office Action, column 12, line 42 to column 13, line 14 do not provide such a teaching. Specifically, Savitzky does not describe “designating” a network-based print service address as a “default destination such that a user browser . . . is redirected directly to the network-based printing service when a print command is received”. Instead, as described above, a user simply browses to the printer agency 60 to print. No “default designation” is made and no “redirection” to a printing service occurs in Savitzky’s process.

Savitzky also does not teach “automatically redirecting the user browser to the network-based printing service”. Again, no redirection to a printing service occurs in Savitzky’s process.

Savitzky also does not teach “accessing image data from a personal imaging repository with the network-based printing service”. Although Savitzky generally mentions “obtaining” a document to be printed, no reference is made to any “personal imaging repository”.

In view of the above, Savitzky fails to teach multiple limitations of Applicant’s claim 1. Therefore, claim 1 and its dependents are allowable over Savitzky. Applicant therefore requests that the rejections as to those claims be withdrawn.

2. Claims 10-14, 35-39, and 43

Applicant’s claim 10 provides as follows (emphasis added):

10. A system for printing on a local printing device using a network-based printing service associated with the local printing device, the system comprising:

means for obtaining a network address of the network-based printing service; and

means for designating the network-based printing service address as a default destination such that a user browser executing on a client device is redirected directly to the network-based printing service when a print command is received;

means for automatically redirecting the user browser to the network-based printing service when a print command is received by an imaging service via the user browser;

means for accessing image data from a personal imaging repository with the network-based printing service; and

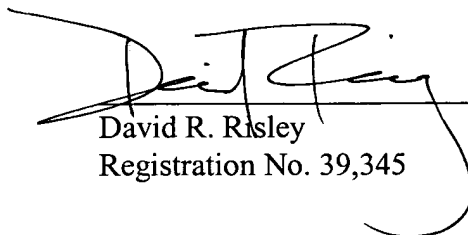
means for initiating a print job on the local printing device with the network-based printing service.

Regarding independent claim 10, Savitzky does not teach any of “means for designating the network-based printing service address as a default destination such that a user browser executing on a client device is redirected directly to the network-based printing service when a print command is received”, “means for automatically redirecting the user browser to the network-based printing service when a print command is received by an imaging service via the user browser”, or “means for accessing image data from a personal imaging repository with the network-based printing service” at least for reasons described above in relation to claim 1. Therefore, claim 10 and its dependents are allowable over Savitzky. Applicant therefore requests that the rejections as to those claims be withdrawn.

CONCLUSION

Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



David R. Risley
Registration No. 39,345

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Alexandria, Virginia 22313-1450, on

3-30-06

Mary McEggs
Signature